

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

CASE NO. 17-CV-1789 (DLC)

LEK SECURITIES CORPORATION,
SAMUEL LEK,
VALI MANAGEMENT PARTNERS dba
AVALON FA LTD,
NATHAN FAYYER, and
SERGEY PUSTELNIK a/k/a
SERGE PUSTELNIK,

Defendants.

**PLAINTIFF'S NOTICE OF MOTION
IN LIMINE TO PRECLUDE AVALON DEFENDANTS FROM
OFFERING EVIDENCE OF, OR REFERRING TO, RELIANCE
ON COUNSEL, OR PRESENCE OR INVOLVEMENT OF COUNSEL**

PLEASE TAKE NOTICE THAT upon the accompanying memorandum of law, declaration and supporting exhibits, Plaintiff U.S. Securities and Exchange Commission ("SEC") moves this Court for an Order to preclude defendants and their counsel from, in front of the jury, presenting evidence of, referring to or mentioning, any advice of, reliance on, or involvement or presence of any attorneys in connection with the issue of whether the trading activity at issue in this case was permissible or was a violation of the federal securities laws or other rules, and for such other and further relief to which the SEC may be entitled.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Scheduling Order (ECF No. 384), the Avalon Defendants shall serve opposing papers, if any, no later than

September 27, 2019, and the SEC shall have to and including October 2, 2019 to reply.

Dated: September 13, 2019

Respectfully submitted,

/s/ David J. Gottesman

David J. Gottesman

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U.S. Securities and Exchange Commission

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CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2019, a true and correct copy of the above document was served on all counsel of record by filing this document using the CM/ECF system.

/s/ David J. Gottesman